

REMARKS

Favorable reconsideration and allowance of this application are respectfully requested.

Claim 1 has been amended for the purpose of clarifying the claim. Claims 1, 2, 4-8, 10, 12, and 13 have been cancelled without prejudice. As claims 3, 9, 11, 14-18, and 19-21 were previously cancelled, claims 22-30 are currently pending. No new matter has been introduced by these amendments.

Applicants thank the Examiner for granting a telephonic interview (hereinafter, "the interview") on March 9, 2010. During the interview, Applicants clarified aspects of the Office Action, as further discussed below.

In the Office Action, the Examiner rejected claims 1, 2, 4-8, 10, 12, 13, and 22-30 under 35 U.S.C. §112, first paragraph, for allegedly including features that are not supported by the underlying specification. Specifically, the Examiner objects, in particular, to the phrase "first and second sets of particles are contiguous throughout the composite material" in claim 1, and the phrase "grains fused together throughout the composite material" in claim 22.

As claim 1 and its dependents have been cancelled, Applicants only consider the 35 U.S.C. §112 rejection against claim 22. During the March 9 interview, the Examiner clarified that the objection was primarily directed to the term "fused". The Examiner alleged that there was no explicit support for the core and shell particles being fused. In particular, the Examiner contended that a fusing process would generally necessitate a heating process.

In response, Applicants directed the Examiner's attention to Example 1 (page 10) of the application as filed wherein a heating process is described (i.e., binder removal at 400°C, followed by a high temperature high pressure treatment), all of which evidences a fusing process.

Applicants also directed the Examiner to page 5, fourth paragraph, of the application as filed, wherein it is explicitly stated that cores within pores of the honeycomb structure of Figure 1 are bonded to the honeycomb structure.

Solely in an effort to advance prosecution of the claims, Applicants have replaced the term "fused" with the term "bonded" in claim 22. Applicants, thus, consider the 35 U.S.C. §112 rejection against claim 22 to be overcome.

Furthermore, with respect to the feature of claim 22 that the core-shell grains are bonded together throughout the composite material, Applicants directed the Examiner's attention, during the interview, to Figures 1 and 2, as well as the detailed description of these figures on pages 8 and 9 of the application as filed, for clear support of this feature. During the interview, the Examiner indicated that the indicated passages are supportive of this feature of claim 22. Accordingly, Applicants believe that claim 22 and its dependents are no longer subject to the 35 U.S.C. §112 rejection set forth in this Office Action.

The Examiner has rejected claims 1-7, 9-13 and 19-21 under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,454,027 to Fang et al. (i.e., "Fang et al."). The Examiner has also rejected claim 8 under 35 U.S.C. §103(a) as allegedly obvious in view of Fang et al.

The claims that were rejected under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) do not include the currently pending claims (i.e., claims 22-30), and hence, the rejections have been rendered moot. Accordingly, claims 22-30 are not subject to the above 35 U.S.C. §102(b) and 35 U.S.C. §103(a) rejections. During the interview, the Examiner provided further confirmation of his view that claim 22 is not anticipated or obvious over Fang et al. The Examiner attributed this conclusion, in particular, to the feature in claim 22 of a core-shell structure (as depicted in Figure 2), which the Examiner acknowledged is not taught or suggested by Fang et al.

In view of the foregoing amendments and remarks, Applicants firmly believe that the pending claims are in condition for allowance, which action is earnestly solicited.

Respectfully submitted,



Frank S. DiGilio
Registration No. 31,346

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343

FSD/EG:dk